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Class

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RIVA ON THE RIVER HOMEOWNERS  
ASSOCIATION on behalf of itself and all  
others similarly situated,

Plaintiff,

v.

THE MANAGEMENT ASSOCIATION,  
INC. dba THE MANAGEMENT TRUST, a  
California Corporation, and DOES 1 through  
200, inclusive,

Defendants.

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THE MANAGEMENT ASSOCIATION,  
INC., dba THE MANAGEMENT TRUST

No. 2:24-cv-02782-CSK

**JOINT DISCOVERY PLAN**

Hon. Chi Soo Kim

Action Filed: October 9, 2024

1 Plaintiff, RIVA ON THE RIVER HOMEOWNERS ASSOCIATION, and Defendant,  
2 THE MANAGEMENT ASSOCIATION, INC. dba THE MANAGEMENT TRUST, jointly  
3 submit this proposed Joint Discovery Plan.

4 **I. Timing, Forms Of Discovery and Initial Disclosures (Fed. R. Civ. P. 26(F)(3)(A))**

5 **A. Timing of Discovery**

6 The Parties do not believe that any changes to the timing of discovery provided in Rule  
7 26(a) are needed.

8 **B. Forms of Discovery**

9 **Plaintiffs' Position:** Plaintiff intends to propound interrogatories, requests for  
10 production, and requests for admission, depose Defendant's Rule 30(b)(6) designee(s) and  
11 certain unidentified employees of Defendant, the identities of whom Plaintiffs anticipate learning  
12 during discovery.

13 **Defendant's Position:** Defendant intends to propound interrogatories, requests for  
14 production, and requests for admission, depose Plaintiff's Rule 30(b)(6) designee(s) and board  
15 members/officers, and third parties, the identities of whom Defendant anticipates learning during  
16 discovery.

17 **C. Initial Disclosures**

18 The Parties have agreed to exchange initial disclosures pursuant to Fed. R. Civ. P.  
19 26(a)(1)(C) by January 17, 2025. *See* Joint Status Report.

20 **D. Expert Discovery**

21 **Plaintiffs' Position:** Plaintiffs propose that expert declarations will be submitted in  
22 conjunction with class certification briefing, and the briefing schedule incorporates time to allow  
23 for expert depositions as needed. Formal expert reports will be due after class certification has  
24 been decided and in preparation for trial. This provides a more efficient process as it will allow  
25 experts to focus on class damages calculations if and when a class has been certified.

26 **Defendant's Position:** The Parties anticipate that expert declarations will be submitted  
27 in conjunction with class certification briefing. It is hoped that expert depositions can be taken

1 within the class certification briefing schedule; but if that proves impractical, additional time may  
2 need to be added to the schedule. The Parties have also filed a joint statement that sets forth their  
3 agreed upon deadlines for expert disclosures (April 21, 2026), rebuttal expert disclosures (May  
4 26, 2026), and close of expert discovery (June 23, 2026).

5 **II. Subjects for Which Discovery is Needed, Completion Dates, and Phasing (Fed. R.**  
6 **Civ. P. 26(F)(3)(B))**

7 **A. Subjects of Discovery**

8 **Plaintiffs' Position:** Plaintiff intends to seek discovery regarding Defendant's business  
9 practices, focusing on its accounting practices; Defendant's relationships and agreements with  
10 its bank(s); Defendant's agreements with Plaintiff; Defendant's actual practices with respect to  
11 those agreements; Defendant's disclosures to Plaintiff; whether Defendant benefitted improperly  
12 from its relationships and agreements with its bank(s) including the amount of that benefit.

13 **Defendant's Position:** Defendant intends to seek discovery regarding Plaintiff's  
14 allegations, including Plaintiff's communications with community managers, homeowners, and  
15 other community associations regarding the management of its funds and its agreement with  
16 Defendant. Defendant also intends to seek discovery regarding Plaintiff's knowledge concerning  
17 the deposit of Plaintiff's funds, the financial practices and backgrounds of Plaintiff's board  
18 members and officers, communications between Plaintiff and Defendant, communications  
19 between Plaintiff and its bank, and all disclosures that were provided to Plaintiff. In connection  
20 with class certification, information will also need to be obtained from absent members of the  
21 putative class on some of these same subjects.

22 **B. Fact Discovery Completion Date and Phasing**

23 The Parties propose that the fact discovery cut-off be May 5, 2026, and agree that  
24 discovery should not be conducted in phases. *See* Joint Case Status Report.

25 **III. Electronically Stored Information and Claims of Privilege (Fed. R. Civ. P.**  
26 **26(F)(3)(C) & (D))**

27 The Parties are currently negotiating an ESI Protocol which will be submitted to the Court  
for approval. The Parties are currently negotiating a Stipulated Protective Order and will submit

1 it to the Court for approval.

2 **IV. Changes in Discovery Limitations (Fed. R. Civ. P. 26(F)(3)(E))**

3 At this time, the Parties do not believe the limits on discovery under the Federal Rules of  
4 Civil Procedure need to be altered. The Parties further propose that the fact discovery cut-off  
5 should be set for May 5, 2026. *See* Joint Case Status Report

6 Dated: January 17, 2025

Respectfully Submitted,

7 MORGAN AND MORGAN,  
8 COMPLEX LITIGATION GROUP

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24 Dated: January 17, 2025

Respectfully Submitted,

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27 By: /s/Fletcher C. Alford (as authorized on 1/16/2025)

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